IN THE HIGH COURT OF JUDICATURTE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 83 OF 2005

IN

EXECUTION APPLICATION NO.443 OF 2004

IN

SUIT NO.1665 OF 1998

M/s Ferro-Concrete Co.(India)Ltd. .. Plaintiff

V/s

1.M/s Daval & Anr. .. Defendants

Mr.M.Khatri for plaintiff

Mr. N.Engineer i/b V.Juwale for defendant No.2

Coram : S.U.Kamdar,J.

Date : 31st January 2005

P.C.

The learned advocate appearing for the defendants seek leave to withdraw the present chamber summons with liberty to take out appropriate application by way of notice of motion for setting aside the exparte decree dated 12/11/2003.

In view of the prayer, the chamber summons is dismissed with the aforesaid liberty.

No order as to costs.

(S.U.Kamdar,J.)